

Aian King, CPA  
Interim Superintendent of Schools



August 18, 2011

Roslyn Carter



Dear Ms. Carter:

Employee ID: 37521

You are hereby notified that the Dallas Independent School District (the "District") is recommending that your employment be terminated, for good cause, pursuant to Texas Education Code § 21.211 and Dallas Independent School District Board Policy DF (Legal/Local), DH (Legal/Local/Exhibit), EHAE (Local/Legal), EIA (Local/Regulation), CQ (Local/Legal), DI (Local/Legal) and the Texas Administrative Code §§ 74.1, 74.2, 112.14 and 113.6. The recommendation to terminate your employment is being made under the following policy provisions:

- Failure or refusal to comply with policies, orders, and directives of the Board, Superintendent of Schools, and/or designees. (DF- Local #1)
- Any act or conduct while at school, whether in or out of a classroom, which is either indecent, obscene, illegal, cruel, abusive, or is otherwise contrary to and inconsistent with the ordinary standards set by the performance and conduct of the other professional public employees of the District. (DF- Local #2)
- Altering or tampering with time cards, "sign in/out" roster, insurance records, or any other District documents or records, or making a false entry in, or false alteration of, a District record. (DF- Local #18)
- Making, presenting, or using any record or document with knowledge of its being false and with the intent that it be taken as a genuine governmental record. (DF- Local #19)
- Conduct or behavior not otherwise expressly referred to in this policy, either during or off working hours, that could cause the public, students, or employees to lose confidence in the administration and integrity of the District. (DF- Local #24)

3700 Ross Ave  
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- \* Failure to meet acceptable standards of conduct for employees in like or similar positions, which would make retention of the employee detrimental to the best interests of the District. (DF- Local #25)
- \* Failure or refusal to fulfill duties or responsibilities as set forth under the terms and conditions of the employment contract, or contained in the employee's job description or local Board policy. (DF- Local #29)
- \* Any other reason constituting "good cause" under Texas laws. (DF- Local #33)
- \* Failure to maintain a balanced curriculum, including foundation (English language arts, science, mathematics, social studies) and enrichment, (art, theatre arts, technology applications, music, health, physical education, and, to the extent possible, Languages Other Than English). (EHAB (Local/Legal))
- \* Instruction in foundation and enrichment curricula shall be regularly scheduled throughout the school year and no student shall be denied access to scheduled instruction in any subjects of the foundation or enrichment curriculum. (EHAB (Local/Legal))
- \* The foundation curriculum, including that for English language learners, shall be aligned to the Texas Essential Knowledge and Skills as specified in District learning standards and curriculum. Curriculum shall be provided for all foundation coursework in order to ensure that all students have access to a rigorous and coherent curriculum that is aligned from prekindergarten through grade 12. Foundation teachers shall teach the approved curriculum and assign grades for the subjects they are assigned to teach for each grading period of the school year. (EHAB (Local/Legal))
- \* Enrichment teachers shall teach the approved curriculum and assign grades for the subjects they are assigned to teach for each grading period of the school year and shall not be required to tutor students in foundation subjects during the regularly scheduled enrichment classes... (EHAB (Local/Legal))
- \* Failure to provide instruction in the required curriculum as specified in 19 TAC 74.1 (relating to the Essential Knowledge and Skills). Failure to ensure that sufficient time is provided for teachers to teach and students to learn English language arts, mathematics, science, social studies, fine arts, health, physical education, technology applications, and to the extent possible, languages other than English. (EHAB Legal and 19 TAC 74.2)
- \* Failure to provide students in kindergarten through grade 5 at least 30 minutes in moderate or vigorous daily physical activity for at least 30 minutes throughout the school year, as part of the District's physical education program or through structured activity during a campus's daily recess. (EHAB Legal and TAC 74.2)
- \* Teachers will develop and consistently implement common grade-level or departmental grading procedures in compliance with EIA regulation and will communicate the common grading procedures to parents and students in writing as directed by the campus principal. Campus principals will approve grading procedures to ensure compliance with Board policies and regulations related to grading. (EIA Local/Regulation)

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- \* Principals will develop procedures to communicate the campus grading practices and will report student learning progress to all parents, campus instructional staff, sponsors of extracurricular activities, and the Learning Community Executive Director. (EIA Local/Regulation)
- \* Guidelines for Determining Six-Week and Semester Grades – In compliance with grading policy EIA (Local), grade-level/cluster guidelines for grading will be implemented across all classrooms, grade levels, and schools in prekindergarten-grade 12. Prekindergarten-grade 12 guidelines will apply to all teachers and students and additional grading requirements specific to grade clusters prekindergarten-grades 1, 2-5, 6-8, and 9-12 will apply. (EIA Local/Regulation)
- \* Reporting Learning Standards Mastery – Report cards are issued every six-week grading period, and grades will be recorded and communicated for all foundation and enrichment subjects using District-approved reporting forms and/or software programs. Grading of student work should be based state- and District-required learning standards and should provide clear expectations for mastery that are communicated to and/or co-constructed with students. Criteria for grading should be clearly communicated to parents and displayed in the classroom. (EIA Local/Regulation)
- \* Numerical grades should be derived for the following: Group and independent student classwork and homework as outlined below; Formative and summative assessments; and/or Project-based learning
- \* Art, music, and physical education teachers will assign grades in their content area for each grading period of the school year and will not be required to tutor student in foundation subjects during the regularly scheduled enrichment classes. (EIA Local/Regulation)
- \* Grade Weights – Grades will be weighted as follows: Classwork/Homework: 50 percent (Homework grades recorded if they improve grade average); Tests: 20 percent grade weight; Projects/Products: 20 percent grade weight (ex: composition, research paper, presentation, report); Six-week test grade: 10 percent grade weight. (EIA Local/Regulation)
- \* Guidelines for Standardized Test-Prep/Remediation – Test genre practice for standardized state assessments may be a part of the preparation process for students, but should not take the place of rigorous instruction or more open-ended performance-based assessments. Therefore, the following must be followed regarding the use of test-prep material:
  1. Test prep formatted questions can be used as test format models after more rigorous assessments, which should reflect higher-level thinking.
  2. Supplemental test-prep materials can be used, but should not be limited to students who are in need of intervention in a particular subject area rather than as a general practice for all students.
  3. Students should be placed in tiered intervention programs, based upon their learning needs, which requires scheduling of academic intervention, tutorials, and the like.
  4. Students should not be removed from any required core or enrichment TEKS-based instruction for the purpose of test preparation/remediation. Short-term focused intervention tutorials may be scheduled in the three weeks prior to the TAKS test, but

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should not remove students from other required instruction without the approval of the campus principal.

5. Parents should be notified if students are removed from any core or enrichment TEKS-based course or classroom for test preparation and grades for the missed course/class must reflect student absence from instruction.

#### **Policy EIA (Local) Academic Achievement - Grading/Progress Reports to Parents**

**Grading Philosophy and Purpose** -To meet the District's mission of college and workforce readiness, grading practices must be in accordance with the District's philosophy that expects and supports all students learning at high, rigorous levels. Therefore, grading practices must focus on student growth and mastery of the learning standards identified in the District curriculum, which include, but are not limited to, The Texas Essential Knowledge and Skills. Grading emphasis shall be placed on accomplishment of these standards and not on the time it takes to learn them, for on the short-term failures that may occur along the way to mastery.

**Relation to Essential Knowledge and Skills:** PK-12 - The District shall determine instructional objectives that relate to the essential knowledge and skills for grade-level subjects or courses. These objectives shall address the skills needed for successful performance in the next grade or next course in a sequence of courses.

Assignments, tests, projects, classroom activities, and other instructional activities shall be designed so that the student's performance indicates the level of mastery of the designated District's objectives. The student's mastery level shall be a factor in determining the grade for a subject or course.

#### **Policy EEC (Regulation) Instructional Arrangements -Scheduling for Instruction**

Principals are expected to be innovative and creative in their approach to scheduling and seeking alternative solutions to learning problems and to optimizing student achievement of basic skills. Team teaching, self-contained classes, modified broad fields, and non-graded courses will be considered acceptable approaches if carefully planned.

All schedules and classroom assignments must conform to the requirements of TEA, District policies, and program requirements and be approved by the appropriate area superintendent. [See EEA (Regulation)]

Prekindergarten-grade 3 elementary schools will schedule one-half day of instruction for reading and reading-related activities...

...As soon as classes in the school have been stabilized following the opening of the new term, a current schedule will be filed with the appropriate area superintendent.

#### **Policy EEA (Regulation) Instructional Arrangements - Grouping for Instruction**

**Elementary Schools** - Each school will recognize group and individual differences among students and make provisions for these differences. Principals are encouraged to develop approaches to grouping and classroom assignments that best meet the needs of students in accordance with the following guidelines:

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1. Students will be grouped heterogeneously, with consideration for ethnic, gender, and instructional diversity.
2. Grouping within the classroom for instruction in essential skills may include homogenous groups for no more than 50 percent of class time...
3. Classroom assignments will be reviewed by the Learning Community Executive Director as part of the review and approval of campus schedules. [See EEC (Regulation)] Exceptions to the grouping guidelines must be approved by the Learning Community Executive Director.

#### Policy EEC (Local) Instructional Arrangements -- Scheduling for Instruction

**Elementary School Schedules** -- The Superintendent of Schools shall establish guidelines for instructional schedules on elementary campuses. These guidelines must specifically ensure adherence to state requirements. All schedules and classroom assignments must conform to the requirements of TEA, District policies, and program requirements and be approved by the appropriate Learning Community executive director. [See EEA (Regulation)]

#### Policy CQ (Regulation) Technology Resources

**Acceptable Use** -- The following regulations for acceptable and unacceptable use of computing devices using voice, and data networks, including the Internet, will apply to all District employees, teachers, students, vendors, contractors, and all other third parties:

12. Users will not use or try to discover another's password.
13. Users will not let other persons (other than authorized staff members) use their name, logon password, or files for any reason.

#### Policy DH (Exhibit) - Employee Standards of Conduct

**Standard 1.1** The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the District, educational institution, educator preparation program, the Texas Education Agency, or the State Board of Educator Certification (SBEC) and its certification process.

**Standard 1.6** The educator shall not submit falsified records, or direct or coerce others to do so.

**Standard 1.7** The educator shall comply with state regulations, written local Board policies, and other state and federal laws.

**Standard 2.7** The educator shall not retaliate against any individual who has filed a complaint with SBEC or who provides information for a disciplinary investigation or proceeding under this chapter.

#### Policy DL (Local) -- Planning and Preparation

Each classroom teacher is entitled to at least 450 minutes in each two-week period for instructional preparation including parent-teacher conferences, evaluating students' work, and planning. A planning and preparation period may not be less than 45 minutes within the instructional day. During that time, a teacher may not be required to participate in any other activity.

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More specifically, the recommendation to terminate your employment is being made for the following specific reasons and conduct, all of which individually and collectively violate the above referenced District policies:

1. You directed and caused false school records to be created relating to teachers of record, grades of students for subjects not taught, and grades from teachers for students they did not teach. Specifically, you violated District policy by directing that the state and District approved curriculum for science, music and social studies not be taught so as to allow more time for teaching mathematics and reading in preparation for the TAKS testing. Namely, throughout the year you instructed the music, science and social studies teachers to teach mathematics instead of music, science and social studies and directed these teachers to submit grades for those classes although the students did not receive the required instruction in those subjects. Your conduct directly denied students access to state mandated instruction in enrichment subjects/curriculum.
2. To facilitate the above referenced policy violations you directed teachers to share their gradespeed login passwords with other teachers and instructed the teachers to enter grades for students for which they were not the teacher of record and or teaching.
3. You abused your supervisory authority, violated the terms of the your contract and violated educator ethics by directing and facilitating the falsification of student attendance and grade records and directing your teachers to violate District and state mandated curriculum requirements by pulling students out of enrichment classes/subjects and requiring them to receive mathematics tutoring.
4. You required a teacher to use his planning period to tutor students in mathematics.
5. You required a grade weights scale contrary to that set out in District policy.
6. In order to conceal your unethical and unlawful conduct you discouraged teachers from reporting potential district policy violations to the Office of Professional Responsibility.
7. In sum, your conduct is inconsistent with the continuance of your employee relationship with the District and constitutes good cause.

If you wish to appeal this recommendation, you must make a written request to:

Commissioner of Education  
Texas Education Agency  
1701 North Congress Avenue  
Austin, Texas 78701-1494

Send a copy to:

Dallas Independent School District  
Human Resources/Office of Employee Relations  
Portable 3  
3708 Ross Avenue  
Dallas, TX 75204

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Your request must arrive and be stamped received in the office of the Commissioner of Education, and in the Human Resources/Office of Employee Relations of the Dallas Independent School District within fifteen (15) days of receipt of this letter. Upon receipt of a timely appeal, a hearing before an independent hearing officer will be scheduled by the Texas Education Agency.

At this hearing, you will have the right to present witnesses, the right to be represented by a person of your choice, including an attorney or Union representative, the right to confront your accusers, and the right to cross-examine adverse witnesses. If you fail to make a timely request for this hearing, the Superintendent of Schools will proceed upon this recommendation. If you wish to resign in lieu of appealing, you must contact the Office of Employee Relations to discuss your options.

You are hereby placed on administrative leave, with pay, pending your request for a hearing. You are directed to leave a daytime telephone number with the Employee Relations and Support Office at (972) 925-4028. You are not to be present on the campus or work-site while on leave without permission from your principal and/or supervisor. Please be advised that while you are on administrative leave with pay you are not to assume another job during your normal work hours. You are further directed to be available during work hours for any purpose deemed appropriate by the district during your administrative leave. You are relieved of all other duties and responsibilities during your leave.

If you have questions concerning any of these reasons that support the proposed action, please contact the Employee Relations and Support Office at (972) 925-4028.

Sincerely,



Luis Tamez  
Executive Director, Human Resources

LT:ta

cc: Claudia Rodriguez, Chief of Staff  
Jack Elrod, General Counsel  
Dorothy Gomez, Sr. Executive Director - Northwest Elementary Learning Community  
Employee Relations and Support  
Payroll Department

Via Regular and Certified Mail  
Return Receipt Requested No. \_\_\_\_\_

Date: \_\_\_\_\_

If hand delivered: \_\_\_\_\_

Roslyn Carter

Date: 8/18/11

Letter served by \_\_\_\_\_

Date: 8/18/11

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

Contact Phone Number: \_\_\_\_\_